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SEC

SERVICE DATE - SEPTEMBER 23, 1997

SURFACE TRANSPORTATION BOARD<sup>1</sup>

DECISION

DOCKET NO. 41192

THE TJX COMPANIES, INC.--PETITION FOR DECLARATORY ORDER--  
CERTAIN RATES AND PRACTICES OF SWEENEY TRANSPORTATION, INC.,  
AND KNICKERBOCKER EAST-WEST, INC.

Decided: September 22, 1997

By motion filed September 2, 1997, respondents sought to withdraw their filed tariff rate “undercharge” claim against petitioner TJX Companies, Inc. (TJX), and moved to narrow the issues before the Board.

By letter filed September 19, 1997, TJX requests a 25-day extension of the September 22, 1997 due date to reply, until October 17, 1997, in order to adequately address all of the issues raised in respondents’ motion. Petitioner adds that respondents assent to the request.

The request is reasonable and will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The TJX extension request is granted.
2. TJX’s reply to respondents’ motion is due October 17, 1997.
3. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 13709.